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Dated: June 8, 2007

Signature: _____

(Kevin M. Secun)

Docket No.: SPINE 3.0-455 CIP CONT V
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Zubok et al.

Application No.: 10/781,484

Group Art Unit: 3733

Filed: February 18, 2004

Examiner: Not Yet
Assigned

For: INSTRUMENTATION AND METHODS FOR
USE IN IMPLANTING A CERVICAL DISC
REPLACEMENT DEVICE

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is in response to the Office Action mailed February 6, 2007, setting forth a Restriction Requirement in the above-identified application. In the Office Action, the Examiner required restriction to one of the following inventions under 35 U.S.C. §121:

I. Claims 1-6, drawn to an intervertebral disc replacement device, classified in class 623, subclass 17.11.

II. Claims 7-18, drawn to an insertion plate, classified in class 606, subclass 99.

III. Claims 19-22, drawn to 606, classified in class 606, subclass 61.

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In response, Applicants hereby elect the invention of Group I, corresponding to claims 1-6. Applicants reserve the right to file a divisional/continuation application corresponding to the non-elected claims.

In the event any fee is due in connection with the present response, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: June 8, 2007

Respectfully submitted,

By 

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